

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

Offense charged:

Racketeer Influence and Corrupt Organization (RICO); Conspiracy to Commit RICO;

Date of Detention Hearing: April 13, 2006

17 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
18 based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
19 that no condition or combination of conditions which defendant can meet will reasonably assure  
20 the safety of other persons and the community.

## FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant has been charged by Indictment with four co-defendants on RICO

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01 charges relating to activities of the Washington Nomads Chapter of the Hells Angels Motorcycle  
02 Club, of which defendant is a member. The Indictment alleges that the Hells Angels was a highly  
03 organized criminal enterprise that adhered to a hierarchical chain of command, engaging in acts  
04 of violence, intimidation and assaults, including kidnaping, threats of violence, witness tampering,  
05 extortion, and interstate trafficking in stolen motor vehicles. As a full patch member, defendant  
06 is alleged to be responsible for carrying out the directives of the president and officers.

07 (2) The Indictment charges that as part of the pattern of RICO activity, the defendant  
08 and three co-defendants committed the crime of robbery by utilizing the use of immediate force,  
09 violence, or fear of injury, during the commission of which one of the defendants (not this  
10 defendant) was armed with a deadly weapon, and bodily injury was inflicted upon the victim  
11 during the commission of the robbery. Defendant is also charged with committing extortion in the  
12 first degree by obtaining property by threat of future bodily injury. Other defendants are charged  
13 with murder and conspiracy to commit murder, trafficking in stolen motorcycles and parts,  
14 extortion, mail fraud, interference with commerce by threats or violence, and witness tampering  
15 as part of the pattern of RICO activity.

16 (3) The defendant's criminal history includes a conviction for manslaughter in the 2nd  
17 degree for which he was on state supervision at the time of the instant alleged offense, and charges  
18 for Violence in Aid of Racketeering, Use of a Firearm in Commission of a Felony and Aiding and  
19 Abetting which are pending in the District of Nevada, for which the defendant is on pretrial  
20 supervision.

21 (4) The AUSA proffers that the nature of the instant charges are such that cooperating  
22 witness testimony will prove critical, and that some witnesses in the case have reported fear of

01 reprisals. A co-defendant in this case has been charged with witness intimidation.

02 (5) The defendant has strong ties to the Spokane community in which he resides and  
03 the court does not find that he poses a risk of flight. However, the defendant does pose a risk of  
04 danger due to the nature of the instant charges, his criminal history which suggests an increasing  
05 propensity for violence, and association with the Hells Angels Motorcycle Club.

06 (6) There does not appear to be any condition or combination of conditions that will  
07 reasonably address the danger to other persons or the community.

08 It is therefore ORDERED:

09 (1) Defendant shall be detained pending trial and committed to the custody of the  
10 Attorney General for confinement in a correction facility separate, to the extent  
11 practicable, from persons awaiting or serving sentences or being held in custody  
12 pending appeal;

13 (2) Defendant shall be afforded reasonable opportunity for private consultation with  
14 counsel;

15 (3) On order of a court of the United States or on request of an attorney for the  
16 Government, the person in charge of the corrections facility in which defendant is  
17 confined shall deliver the defendant to a United States Marshal for the purpose of  
18 an appearance in connection with a court proceeding; and

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01 (4) The clerk shall direct copies of this Order to counsel for the United States, to  
02 counsel for the defendant, to the United States Marshal, and to the United States  
03 Pretrial Services Officer.

04 DATED this 13th day of April, 2006.

05   
06 Mary Alice Theiler  
07 United States Magistrate Judge